

1st reading
3-2-16 (3)

Sponsored by:
Seconded by:

[Signature]
[Signature]

CITY OF HOBOKEN
ORDINANCE NO. _____

E-404

ORDINANCE TO AMEND CHAPTER 59A, ENTITLED "DEPARTMENT OF PUBLIC SAFETY," SECTION 4 ENTITLED "COMPENSATION, HOURS OF DUTY, UNIFORM" TO INCORPORATE A REIMBURSEMENT PROCEDURE FOR COSTS ASSOCIATED WITH SLEO'S WHO TERMINATE THEIR EMPLOYMENT WITHIN THEIR FIRST TWO YEARS OF APPOINTMENT

WHEREAS, the City of Hoboken utilizes Special Law Enforcement Officers in accordance with Hoboken Code Section 59A-48; and,

WHEREAS, the costs associated with training, clothing, and equipping SLEO's is an additional burden on the Department of Public Safety which is not offset in those cases where the SLEO's terminate their employment in the first two years after appointment, and the City's expenditure should be reimbursable in those instances where the SLEO does not give the City the benefit of continued employment beyond the training period.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Hoboken, as follows:

SECTION ONE (additions noted in underline, deletions noted in ~~strike through~~):

§ 59A-49 Compensation; hours of duty; uniform.

A. Class I Special Law Enforcement Officers, if any, shall be compensated ~~at a minimum rate of \$12.50 an hour and a maximum rate of \$15 an hour and shall not receive any benefits.~~ In accordance with the then current salary ordinance.

B. Class II Special Law Enforcement Officers, if any, shall be compensated ~~at a minimum rate of \$15 \$20 an hour and a maximum rate of \$18 \$25 an hour and shall not receive any benefits.~~ In accordance with the then current salary ordinance.

C. Special law enforcement officers shall work part-time and shall not exceed ~~20~~ 24 hours per week except during periods of emergency and will be assigned at the direction of the Chief of Police.

D. The special law enforcement officer shall wear the appropriate uniform of the day as directed by the Chief of Police, which shall include: hat, badge, name tag, Hoboken Police Division uniform patch and insignia issued by the Police Training Commission which clearly indicates the officer's status as a Class I or Class II Special Law Enforcement Officer.

E. Each special law enforcement officer accepts the following obligations as a condition of their acceptance of appointment to the position:

1. Each special law enforcement officer shall be responsible for any and all costs of all their Class II training as well as the costs of any uniform(s) and or equipment fee(s) associated with their Class II position in any of the following instances, which shall be reimbursed from any outstanding payroll funds of the special law enforcement officer, and thereafter by complaint to the courts requesting reimbursement by garnishment of future wages:

a. In any case where a special law enforcement officer terminates their employment with the City of Hoboken before the termination of their initial appointment period; or,

b. If the special law enforcement officer is reappointed after the initial term and thereafter terminates their employment with the City less than two years from the date of their initial

appointment.

SECTION TWO: REPEAL OF INCONSISTENT PROVISIONS

All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such ordinances or part of ordinances now existing or in effect unless the same are in conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION THREE: SEVERABILITY

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage and publication as provided by law, and shall be implemented with the first group of SLEO2 candidates that are sponsored to the police academy by the City of Hoboken, after adoption of this ordinance.

SECTION FIVE: CODIFICATION

This ordinance shall be a part of the Code of the City of Hoboken as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Code.

The City Clerk and the Corporation Counsel are authorized and directed to change any Chapter, Article and/or Section number of the Code of the City of Hoboken in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

First Reading: March 2, 2016

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla	✓			
Peter Cunningham	✓			
Michael Defusco	✓			
James Doyle	✓			
Tiffanie Fisher	✓			
David Mello	✓			
Ruben Ramos Jr.		✓		
Michael Russo	✓			
President Jenn Giattino	✓			

Final Reading:

Councilperson	Yea	Nay	Abstain/Present	Absent
Ravinder Bhalla				
Peter Cunningham				
Michael Defusco				
James Doyle				
Tiffanie Fisher				
David Mello				

Ruben Ramos Jr.				
Michael Russo				
President Jenn Giallino				

Approved as to Legal Form:

, Corporation Counsel

Adopted by the Hoboken City Council

By a Vote of ____ Yeas to ____ Nays

On the ____ day of ____, 2016

James Farina, City Clerk

☐ Vetoed by the Mayor for the following
reasons: _____

-or-

☐ Approved by the Mayor

On the ____ day of ____, 2016

Dawn Zimmer, Mayor